

## MAGISTRATE'S CRIMINAL MINUTES

ARRAIGNMENT

PLEA AND SENTENCE



Time in Court:				Hrs.	3	Mins.
Filed in Open Court	Date:	12/11/2020	Time:	10:58 a.m.	Tape:	FTR

Magistrate (presiding): Justin S. AnandDeputy Clerk: B. Evans

Case Number:	1:20-cr-452	Defendant's Name:	Ellie Melvin Brett			
AUSA:	Bret R. Hobson	Defendant's Attorney:	Esther Panitch			
USPO/PTR:		Type of Counsel:	( <input type="checkbox"/> ) Retained ( <input checked="" type="checkbox"/> ) CJA ( <input type="checkbox"/> ) FDP			
ARREST DATE:						
INTERPRETER:						
INITIAL APPEARANCE HEARING: ( <input type="checkbox"/> ) In This District			Dft in custody? ( <input type="checkbox"/> ) Yes ( <input type="checkbox"/> ) No			
Hearing conducted by video teleconference with consent of the parties.						
Defendant advised of right to counsel. ( <input type="checkbox"/> ) WAIVER OF COUNSEL FILED.						
ORDER appointing Federal Defender Program as counsel. ( <input type="checkbox"/> ) INITIAL APPEARANCE ONLY						
ORDER appointing					as counsel.	
ORDER giving defendant					days to employ counsel.	
Dft to pay attorney fees as follows:						
INFORMATION/INDICTMENT FILED					WAIVER OF INDICTMENT FILED-	
x	Copy information/indictment give to dft ( <input checked="" type="checkbox"/> ) Yes ( <input type="checkbox"/> ) No			Read to dft? ( <input type="checkbox"/> ) Yes ( <input checked="" type="checkbox"/> ) no		
CONSENT TO TRIAL BEFORE MAGISTRATE (Misd/Petty) offense filed.						
x	ARRAIGNMENT HELD ( <input type="checkbox"/> ) Information/			( <input type="checkbox"/> ) Dft's WAIVER of appearance filed.		
Arraignment continued to		@		Request of ( <input type="checkbox"/> ) Govt ( <input type="checkbox"/> ) Dft		
Dft failed to appear arraignment		Bench Warrant Issued:				
X	Dft enters PLEA OF NOT GUILTY. ( <input type="checkbox"/> ) Dft stood mute; plea of Not Guilty entered. ( <input type="checkbox"/> ) Waiver of appearance					
MOTION TO CHANGE PLEA, and order allowing same						
PLEA OF GUILTY/NOLO as to counts						
x	ASSIGNED to District Judge	Grimberg		for ( <input type="checkbox"/> ) trial ( <input type="checkbox"/> ) arraignment/sentence		
x	ASSIGNED to Magistrate Judge	Bly		for pretrial proceedings.		
x	Estimated trial time:	days		( <input checked="" type="checkbox"/> ) SHORT ( <input type="checkbox"/> ) MEDIUM ( <input type="checkbox"/> ) LONG		

**ARRAIGNMENT – Pg. 2****CASE NO. 1:20-CR-452**

	CONSENT TO PRE-SENTENCE INVESTIGATION filed. Referred to USPO for PSI and continued	
until	at	for sentencing.
Government's MOTION FOR DETENTION filed. Hearing set	for	
Temporary commitment issued. Dft remanded to custody of U.S. Marshal Services		

**BOND/PRETRIAL DETENTION HEARINGS**

	BOND/PRETRIAL DETENTION HEARING HELD.		
	BOND HEARING HELD.		
	GOVERNMENT'S MOTION FOR DETENTION ( ) GRANTED ( ) DENIED ( ) WITHDRAWN		
	WRITTEN ORDER TO FOLLOW.		
	HEARING HELD on motion for reduction / modification of bond.		
	MOTION FOR REDUCTION OF BOND / MODIFICATION OF BOND ( ) GRANTED ( ) DENIED		
	WRITTEN ORDER TO FOLLOW.		
	BOND SET AT \$		
	NON-SURETY		
	SURETY ( ) Cash	( ) Property	( ) Corporate Surety
	SPECIAL CONDITIONS: SEE ORDER.		
	BOND FILED; DEFENDANT RELEASED.		
	BOND NOT EXECUTED. DEFENDANT TO REMAIN IN MARSHAL'S CUSTODY.		
X	<b>DEFENDANT HAS BEEN ADVISED:</b> Pursuant to the Due Process Protections Act, see Fed. R. Crim. P. 5(f), the government is ordered to adhere to the disclosure obligations set forth in <i>Brady v. Maryland</i> , 373 U.S. 83 (1963), and its progeny, and to provide all materials and information that are arguably favorable to the defendant in compliance with its obligations under <i>Brady</i> ; <i>Giglio v. United States</i> , 405 U.S. 150 (1972); and their progeny. Exculpatory material as defined in <i>Brady</i> and <i>Kyles v. Whitley</i> , 514 U.S. 419, 434 (1995), shall be provided sufficiently in advance of trial to allow a defendant to use it effectively, and exculpatory information is not limited to information that would constitute admissible evidence. The failure of the government to comply with its <i>Brady</i> obligations in a timely manner may result in serious consequences, including, but not limited to, the suppression or exclusion of evidence, the dismissal of some or all counts, adverse jury instructions, contempt proceedings, or other remedies that are just under the circumstances.		